

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: Thomas MAUCKSCH	Confirmation No.: 3967
Application Ser. No.: 10/531,865	Examiner: J. Suglo
Filed: December 29, 2005	Group Art Unit: 2857
Attorney Docket No.: 01012_1022	
Client Docket No.: P27244/US	

For: METHOD TO EVALUATE WHETHER A TIME DELAY IS BETTER THAN A  
TIME LIMIT

Commissioner for Patents  
Washington, D.C. 20231

**TERMINAL DISCLAIMER**

Dear Sir:

Rohde & Schwarz GmbH & Co. KG, a corporation having a place of business at Muchldorfstrasse 15, Muenchen, D-81671, GERMANY, is the assignee or is entitled to ownership of the entire right, title, and interest in and to the above-referenced patent application by virtue of an Assignment filed on December 28, 2005, and recorded at Reel No. 017637 and Frame No. 0682. The undersigned is an attorney of record.

The owner hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§154 to 156 and 173, as presently shortened by any terminal disclaimer, of any patent issuing from Application Serial Nos. 10/513,909 and 10/465,922. The owner hereby agrees that any patent so granted on the instant application shall

be enforceable only for and during such period that it and any patent issuing from Application Serial Nos. 10/513,909 and 10/465,922 are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §§154 to 156 and 173 of any patent issuing from Application Serial Nos. 10/513,909 and 10/465,922, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR §1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Please charge the fee set forth in 37 CFR §1.20(d) to Deposit Account Number 504213.

Please charge any shortage in fees due in connection with the filing of this paper to Deposit Account 504213 and please credit any excess fees to such deposit account.

Respectfully Submitted,

DITTHAVONG MORI & STEINER, P.C.

March 12, 2008  
Date

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